

**REMARKS**

The application has been reviewed in light of the Office Action mailed on October 5, 2004. Claims 1-3 have been cancelled without prejudice, and Applicants reserve the right to pursue the cancelled claims, and other claims, in this and other applications. New claims 4-27 have been added without adding new matter. The new claims are believed to be in condition for allowance for the following reasons.

New independent claims 4-6 are directed to a capillary array electrophoresis apparatus and new independent claims 7-9 are directed to a consumable set of adapters used for the capillary array electrophoresis apparatus. Exemplary embodiments of the inventions recited in claims 4-9 are disclosed and illustrated, for example, in Figures 5-7 and associated text of the specification. The claims are not limited to the disclosed embodiments.

An important feature of the new claims is the advantageous function of the plate adapter, which permits adjustment of center axes and bottom heights of the wells in the sample plate. Thereby, the position of the center axes and the bottom heights of the wells with respect to the auto sampler can always be predetermined and controlled. See, for example, page 16, line 24 through page 20, line 11 of the specification. New independent claims 4 and 7 are directed to adjustment of positions of both the center axes and the bottom height of the wells; new the independent claims 5 and 8 are directed to the adjustment of only the position of the bottom height of the wells; and new independent claims 6 and 9 are directed to the adjustment of only the position of the center axes of the wells.

Claims 10-27 depend from the independent claims. The features of claims 10-21 are disclosed, for example, on page 21, line 7 through page 22, line 12 and associated figures of the specification. And, the features of claims 22-27 are supported, for example, by page 17, line 16 through page 18, line 1 and associated figures of the specification. The claims are not limited to the disclosed embodiments.


The Office Action relied on Moring et al., U.S. Patent No. 5,384,024 (hereinafter "Moring") in a rejection of the now cancelled claims 1-3. Moring discloses an auto sampler, for a capillary array electrophoresis apparatus, which permits mounting a plurality of sample vials 99 on the tray 57. However, different from the claimed invention, please note that the Moring

apparatus can not make use of a sample plate or a micro tighter plate provided with a plurality of wells. Moreover, please note that the Moring apparatus cannot be adapted for a sample vial having a different size. Moring fails to teach or suggest the limitations recited in new claims 4-27.

In view of the above, Applicants believe the pending application is in condition for allowance.

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